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|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 11/578,741                  | Mark Klein            | MK-001 PCT US    |

|                               |               |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. |               |
| PCT/US04/33446                |               |
| I.A. FILING DATE              | PRIORITY DATE |
| 10/07/2004                    | 10/10/2003    |

Patent Department  
Skadden, Arps, Slate, Meagher & Flom  
Four Times Square  
New York, NY 10036

**CONFIRMATION NO. 7002**  
**371 FORMALITIES LETTER**



\*OC000000022127747\*

Date Mailed: 01/24/2007

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/16/2006
- Copy of the International Search Report filed on 10/16/2006
- Oath or Declaration filed on 10/16/2006
- U.S. Basic National Fees filed on 10/16/2006
- Priority Documents filed on 10/16/2006
- Specification filed on 10/16/2006
- Claims filed on 10/16/2006
- Abstracts filed on 10/16/2006
- Drawings filed on 10/16/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
  - does not identify the citizenship of each inventor.
- Surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 was not received in full.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$165** for a Small Entity:

- **\$65 Surcharge.**

Additionally the following defects have been observed:

- The oath of declaration does not comply with 37 CFR 1.63 in that it:
  - does not identify the mailing address of each inventor. If the residence is different from the mailing address, then the city and state or city and foreign country of residence of each inventor must also be given.
- The application examination fee has not been paid. Applicant must submit **\$100** to complete the examination fee for a small entity in compliance with 37 CFR 1.27. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VONDA M WALLACE

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### PART 2 - OFFICE COPY

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